



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,986	05/11/2001	David W. LaFore	7103-1-CIP	6862

22442 7590 08/12/2005

SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

OYEBISI, OJO O

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,986

Applicant(s)

LAFORE ET AL.

Examiner

OJO O. OYEBISI

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/06/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/06/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmus et al (Kalmus hereinafter, U.S PAT: 4,674,044) in view of Hawkins et al (Hawkins hereinafter, U.S PAT: 6,029,146)

Re claim 1: Kalmus discloses a data processing system for managing broker transaction information in compliance with governmental regulations, comprising:

 - (a) computer processor means for processing data (see fig 1. element 10)
 - (b) storage means for storing said data on a storage medium (see fig.2 element 54, also see col.6, lines 13-15);
 - (c) communication means for transmitting data in a secure environment to and from various remote locations (see fig.1, element 25, also see col.4, lines 40-45); and
 - (d) computer software means for creating trade data concerning a particular trade in the form of a trade record, reviewing said trade data (i.e., orders, see col.10, lines 14-19) and approving/disapproving the trade record (see col. 6, lines 48-55).

Kalmus does not explicitly disclose maintaining security measures for said data processing system to prevent unauthorized access and use of said trade data. However, Hawkins discloses maintaining security measures for said data processing system to prevent unauthorized access and use of said trade data (see fig. 9, elements 304, 338, 340, and 342). Thus, it would have been obvious to one of ordinary skill in the art to implement the security measures of Hawkins in the system of Kalmus to prevent unauthorized access and use of said trade data.

Re claim 2: Kalmus further discloses a data processing system as stated supra wherein said computer software means further comprises: means for inputting and storing system information on said storage means (see col. 3, lines 62-68).

Re claim 3: Kalmus does not explicitly disclose a data processing system further comprising: means for monitoring the modification of trade data in respective trade records which are created by said computer software means. However, Hawkins makes this disclosure (see col.10, lines 45-55). Thus, it would have been obvious to one of ordinary skill in the art to implement the monitoring means of Hawkins in the system of Kalmus to facilitate secured trading and tracing trading activities.

Re claim 4: Kalmus does not explicitly disclose a data processing system further including: means for monitoring log-ins to said data processing system. However, Hawkins makes this disclosure (see fig.9, element 342). Thus, it would have been obvious to one of ordinary skill in the art to implement the monitoring log-ins

means of Hawkins in the system of Kalmus to monitor the activities of the trading parties and to provide secured trading environment.

Re claim 5: Kalmus does not explicitly disclose a data processing system further comprising: means for monitoring the activity of a particular broker representative (i.e., time stamping and assigning reference numbers to broker's orders) who enters trade data through said computer software means. However, Hawkins makes this disclosure (see col.10, lines 55-67 to col. 11, lines1-5).

Thus, it would have been obvious to one of ordinary skill in the art to implement Hawkins in Kalmus to monitor the status of the transaction and to make sure that broker representatives adhere to the Security and Trade Commission (SEC) rules and regulation.

Re claim 6: Kalmus discloses a data processing system as stated supra further including: means for outputting information regarding a particular trade (i.e., the system reports the executed trade details to the customer, and to national stock price reporting systems, see abstract).

Re claims 7 and 8: Kalmus does not explicitly disclose a data processing system further including: means for creating and outputting daily trade blotter and checks/securities blotters. However, Hawkins makes this disclosure (see col. 16, lines 5-35). Thus, it would have been obvious to one of ordinary skill in the art to modify Kalmus to include means for creating and outputting daily trade blotter and checks/securities blotters of Hawkins to provide a quick view of the status of the orders and execution.

Re claim 9: Kalmus does not explicitly disclose a data processing system further including: means for creating and outputting buy and sell tickets (i.e., transaction information). Hawkins makes this disclosure (see col.15, lines 50-67). Thus, it would have been obvious to one of ordinary skill in the art to modify Kalmus to include Hawkins to make matching orders and executions easy.

Re claim 10: claim 10 contains limitations recited in claim 4 and these limitations are rejected using the same art and rationale as applied in the rejection of claim 4. Outputting client activity logs is not explicitly recited in the combination of Kalmus and Hawkins. However, it would have been obvious to one of ordinary skill in the art to output client activity logs in Kalmus and Hawkins in order to monitor who has accessed the system and for security purposes.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hawkins.

Re claim 11: Hawkins discloses a method of managing and processing broker transaction data comprising the steps of: entering and recording trade data into a

Art Unit: 3628

main server database of a data processing system; creating data files in the main server database corresponding to the entered trade data; monitoring all modifications made to the entered trade data residing in the respective data files; and reporting all said modifications made to the trade data in a display generated by the data processing system (see col. 10, lines 1-55).

Re claim 12: Hawkins discloses a method further including steps of: transmitting data within said data processing system by secure transmission means (see fig. 9, elements 338 and 340).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins.

Re claim 13: Hawkins further discloses a method as stated supra wherein said broker transaction data is reflective of a trade of a security; recording the transaction data on the main database in the form of an original trade record; posting the original trade record on a user screen for availability by a branch manager who then approves/disapproves the original trade record; posting the approved/disapproved original trade record by the branch manager (i.e., broker supervisor) on the main database; posting the approved/rejected original trade

record on a user screen for availability by a broker representative; and wherein said method takes place in the data processing system, and said transaction data and said trade record are manipulated electronically(see col. 13, line 34 to col. 15, line 13). Hawkins does not explicitly disclose a method of managing and processing broker transaction data comprising the steps of: inputting broker transaction data by a computer logged onto a website linked to a data processing system. However, the examiner asserts that such is routinely done in financial systems that have LAN/WAN, TCP/IP, and IP addressing capabilities, features that Hawkins has. Thus, It would have obvious to one of ordinary skill in the art to introduce the system of Hawkins in a network environment where logging onto website is possible in order to allow worldwide access of the system to remote users/clients.

Re claim 14: Hawkins discloses a method wherein: the transfer of the transaction data and the trade record is conducted in a secure environment by encryption (i.e., user's encrypted key, see col.12, lines 62-67) and decryption (i.e., the user's account is called from the personal computer memory, see col.12, lines 62-67).

Re claim 15: Hawkins further discloses a method as stated supra including the step of: changing an element of data on the original trade record (see col. 12, lines 25-30). Hawkins does not explicitly disclose recording the change of data in the original trade record; and creating a display in the form of a comparative report showing the original trade record, and the original trade record as

amended with the changed data element. However, the examiner asserts that such is routinely done in most financial systems and/or in documents having a high degree of importance. For example, such is routinely done in the patent field whereby attorneys usually amend their related patent applications and record and indicate the changes. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide these teachings in the system of Hawkins in order to clearly show a complete history of trade transactions with all changes made to a client or broker.

Re claim 16: Hawkins further discloses a method as stated supra further including the steps of: managing a plurality of trade records; and creating an output reflective of the plurality of trade records in the form of a desired report (see col. 12, lines 25-35).

Re claim 17: Hawkins further discloses a method as stated supra wherein said desired report is a daily trade blotter (see col. 16, lines 5-35).

Re claim 18: Hawkins further discloses a method as stated supra wherein said desired report is a check/securities received blotter (see col. 16, lines 5-40).

Re claim 19: Hawkins further discloses a method as stated supra wherein said desired report is in the form of a buy and sell ticket (i.e., transaction information) (see col. 15, lines 50-67).

Re claim 20: Hawkins further discloses a method as stated supra wherein said desired report is in the form of a client activity log (i.e., summary/report screen) (see col. 15, lines 50-67).

Re claim 21: Hawkins further discloses a method as stated supra wherein said desired report is in the form of a trade audit report (see col.16, lines 20-35).

Re claim 22: Hawkins further discloses a method as stated supra further including the steps of: inputting authentication data to gain authority to access the data processing system including a password, user ID, and system ID; and verifying the authentication data to determine access to the data processing system (see col.12, lines 20-60, also col. 14, lines 10-35).

Re claim 23: Hawkins further discloses a method as stated supra further including the step of: creating an output in the form of a log-ins (i.e., user's account) report reflective of log-ins made to the data processing system (see fig.9, element 342, also see col.12, lines 64-67).

Re claims 24 and 26: claims 24 and 26 contain limitations recited in claim 13 and these limitations are rejected under a similar rationale. As per the features relating to providing communications in the form of an Email message, the examiner asserts that even though Hawkins does not explicitly make this disclosure, Hawkins discloses features in his system such as LAN, log-ins, TCP/IP, and IP addressing that can carry out the aforementioned disclosure (i.e., features relating to providing communications in the form of an Email message). Further, Hawkins system is set up as stated supra to process and transmit financial data from one broker/dealer post to another, and since Email message is a form of data, one of ordinary skill in the art would have been motivated to use

Art Unit: 3628

the same to transmit Email message in order to provide recipients with instant information regarding particular orders or transactions.


Re claims 25 and 27: Hawkins further discloses a method as stated supra wherein all posting steps are achieved by secure electronic transmission using encryption and decryption (i.e., user's encrypted key, see col.12, lines 62-67) and decryption (i.e., the user's account is called from the personal computer memory, see col.12, lines 62-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, HYUNG S. SOUGH can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANTZY POINVIL
PRIMARY EXAMINER
Art 3628